

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LEWANA HOWARD,)	
)	
Plaintiff,)	No. 18 C 4454
)	
v.)	Judge
)	
LAURA DOUGLAS,)	Formerly Case No. 18 M6 3948
)	Circuit Court of Cook County, Illinois
)	
Defendant.)	

**NOTICE OF REMOVAL OF A CIVIL ACTION AND
SUBSTITUTION OF THE UNITED STATES AS DEFENDANT**

To:	Dorothy Brown	Lewana Howard
	Clerk of the Circuit Court	7303 S. Marshfield Avenue
	Richard J. Daley Center, Room 1001	Chicago, Illinois 60636
	50 West Washington Street	lewana@sbcglobal.net
	Chicago, Illinois 60602	
	Carl M. Schultz	
	Malecki & Brooks Law Group LLC	
	205 E. Butterfield Road, Suite 225	
	Elmhurst, Illinois 60126	

The United States, by its attorney, John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, submits this notice of removal of the above-captioned civil action from the Circuit Court of Cook County, Illinois, to the United States District Court, Northern District of Illinois, pursuant to 42 U.S.C. § 233, and in support thereof states the following:

1. *Pro se* plaintiff Lewana Howard commenced the above civil action against Dr. Laura Douglas, alleging that Dr. Douglas, an employee of the Chicago Family Health Center, Inc. ("Chicago Family Health Center"), was negligent in providing dental care. A copy of the state court complaint is attached as Exhibit A. For purposes of this lawsuit, the Chicago Family Health Center is a private entity that receives grant money from the Public Health Service pursuant to 42

U.S.C. § 233. *See* Exhibit B. In addition, Dr. Douglas was acting within the scope of her employment at the Chicago Family Health Center with respect to the incidents referred to in the complaint. *Id.*

2. This notice of removal is filed in accordance with 42 U.S.C. § 233 upon certification by the designee of the Attorney General of the United States that the Chicago Family Health Center was a private entity receiving grant money from the Public Health Service and that defendant Dr. Douglas was acting within the scope of her employment at the Chicago Family Health Center with respect to the incidents referred to in the complaint. Exhibit B.

3. This notice of removal may be filed without bond at any time before trial. 42 U.S.C. § 233(c). Trial has not yet been had in this action.

4. Pursuant to the certification by the Attorney General's designee and the filing of this notice of removal, under 28 U.S.C. § 233(c), this civil action is deemed an action against the United States, and the United States is substituted as the sole federal party defendant in place of defendant Dr. Laura Douglas.

WHEREFORE, this action now pending in the Circuit Court of Cook County, Illinois, is properly removed to this court pursuant to 42 U.S.C. § 233, and the United States is substituted as the defendant in lieu of Dr. Laura Douglas.

Respectfully submitted,

JOHN R. LAUSCH, Jr.
United States Attorney

By: s/ Virginia O. Hancock
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Certificate of Service

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF), the following document:

NOTICE OF REMOVAL OF A CIVIL ACTION AND SUBSTITUTION OF THE UNITED STATES AS DEFENDANT

was served pursuant to the district court's ECF system as to ECF filers, if any, and was sent by first-class mail on June 26, 2018, to the following non-ECF filers:

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